

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KENTUCKY UTILITIES COMPANY

ALLEGED VIOLATIONS OF COMMISSION
REGULATIONS

)
)
) CASE NO. 94-202
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O R D E R

Kentucky Utilities Company ("KU"), a Kentucky corporation which engages in the distribution of electricity to the public for compensation for light, heat, power, and other uses, is a utility subject to Commission jurisdiction. KRS 278.010.

KRS 278.280(2) directs the Commission to prescribe rules and regulations for the performance of services by utilities. Pursuant to this statutory directive, the Commission promulgated Commission Regulation 807 KAR 5:041, Section 3, which requires electric utilities to maintain their plant and facilities in accordance with the standards of the National Electrical Safety Code (1990 edition) ("NESC"). It also promulgated Commission Regulation 807 KAR 5:006, Section 24, which requires a utility to adopt and execute a safety program.

Commission Staff has submitted to the Commission an Electrical Utility Accident Investigation Report dated February 28, 1994, appended hereto, which alleges:

1. On September 13, 1993, James David Stratton suffered burn injuries to his right hand and left thigh while performing

maintenance on an energized 7200-volt three phase power line in Muhlenberg County, Kentucky.

2. At the time of the incident, Stratton was not wearing protective clothing or using protective equipment.

3. At the time of the incident, Mike Robards was in charge of the work crew performing the maintenance.

4. At the time of the incident, KU owned the facilities in question.

5. At the time of the incident, Stratton and Robards were employees of KU and acting within the scope of their employment.

6. NESC Section 420H requires employees to "use the personal protective equipment, the protective devices, and the special tools provided for their work."

7. KU Safety Rule 31-2 prohibits employees from touching or working on "any exposed energized lines or apparatus except when wearing protective equipment approved for the voltage to be contacted."

8. While performing maintenance on the 7200-volt line, Stratton failed to comply with NESC Section 420H and KU Safety Rule 31-2.

9. Robards failed to see that all safety and operating procedures were observed by those under his direction. His failure is a violation of NESC Rule 421A which requires a person in charge to adopt such precautions as are within his authority to prevent accidents and to see that all safety rules and operating procedures are observed by those under his direction.

10. As a result of these failures, KU is in probable violation of Commission Regulations 807 KAR 5:006, Section 24, and 807 KAR 5:041, Section 3.

Based on its review of the Electrical Utility Accident Investigation Report and being otherwise sufficiently advised, the Commission finds that prima facie evidence exists that KU has failed to comply with Commission Regulations 807 KAR 5:006, Section 24, and 807 KAR 5:041, Section 3.

The Commission, on its own motion, HEREBY ORDERS that:

1. KU shall appear before the Commission on August 18, 1994 at 10:00 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, for the purpose of presenting evidence concerning the alleged violations of Commission Regulations 807 KAR 5:006, Section 24, and 807 KAR 5:041, Section 3, and of showing cause why it should not be subject to the penalties prescribed in KRS 278.990(1) for these alleged violations.

2. KU shall submit to the Commission, within 20 days of the date of this Order, a written response to the allegations contained in the Electrical Utility Accident Investigation Report.

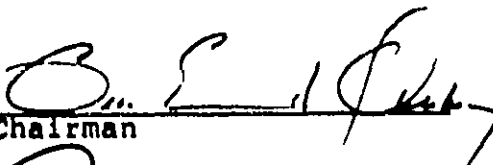
3. The Electrical Utility Accident Investigation Report of February 28, 1994, a copy of which is appended hereto, is made part of the record of this proceeding.

4. Any motion requesting any informal conference with Commission Staff to consider any matter which would aid in the

handling or disposition of this proceeding shall be filed with the Commission no later than 20 days from the date of this Order.

Done at Frankfort, Kentucky, this 24th day of May, 1994.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 94-202 DATED 5/24/94

ELECTRICAL UTILITY ACCIDENT INVESTIGATION

DATE OF THIS REPORT 2/28/94 SUBMITTED BY Robert Ueltschi
NAME OF UTILITY Kentucky Utilities Company (Western Division)
ACCIDENT REPORTED BY Mr. Brian Dickey
DATE & TIME ACCIDENT OCCURRED 9/13/93 - 4:30 P.M. CST
DATE & TIME UTILITY LEARNED OF ACCIDENT 9/13/93 - 5:30 P.M. EST
DATE & TIME ACCIDENT REPORTED 9/13/93 - 6:10 P.M. EST
DATE OF ACCIDENT INVESTIGATION 9/14/93
DATE SUMMARY WRITTEN REPORT WAS RECEIVED FROM UTILITY 9/20/93
PERSONS ASSISTING IN THE INVESTIGATION Mr. Gerald Locke, Mr. Brian
Dickey, Mr. Mike Robards - Kentucky Utilities Company and Robert
Ueltschi - PSC
NAME OF VICTIM(S) James David Stratton SEX M AGE 36
FATAL No NAME OF EMPLOYER Kentucky Utilities Company
INJURIES Burns - right index finger extending to thumb and
left thigh.
LOCATION OF ACCIDENT SITE South Carrollton on Ky. 81 in
Muhlenberg County.
DESCRIPTION OF ACCIDENT Mr. James David Stratton was working on a
7200 V three phase power line. In the process of squeezing up #4
copper to #2 ACSR with a "D" die machine (Compression tool), Mr.
Stratton made contact with the 7200 volt line. Mr. Stratton was
not wearing protective rubber gloves at the time of the accident.
Mr. Mike Robards was the superintendent on the project.

ELECTRICAL UTILITY ACCIDENT INVESTIGATION (Continued)

SOURCE OF INFORMATION Mr. Mike Robards, Mr. Gerald Locke and Mr. Brian Dickey - Kentucky Utilities Company

PROBABLE VIOLATIONS OF COMMISSION REGULATIONS Mr. Stratton was in probable violation of 807 KAR 5:041 (Electric), Section 3(2) and NESC Section 42 subsection (420H) tools and protective equipment. Mr. Stratton was also in probable violation of Kentucky Utilities' safety rule(s) General 31-2.a.

Mr. Robards was in probable violation of NESC Section 42 subsection 421A. 1 and 2. Duties of a first level supervisor or person in charge.

RECOMMENDATIONS It is recommended that the Commission consider action in accordance with KRS 278.990 and the probable violation of Commission Regulations 807 KAR 5:041, Section 3(2), and 807 KAR 5:006, Section 24.

CORRECTIVE ACTION None

ELECTRICAL UTILITY ACCIDENT INVESTIGATION (Continued)

LINE CLEARANCES

	<u>As Measured</u>	<u>Minimum Allowed by NESC</u>
A. AT POINT OF ACCIDENT		
Phase conductors to ground elevation:	House - 27' - 11 1/2" Center - 27' - 11 1/2" Field - 27' - 11 1/2"	20' - 0" 20' - 0" 20' - 0"
Neutral conductor to ground elevation:	24' - 2 1/2"	18' - 0"
Communication conductor to ground elevation:	N/A	N/A
Phase conductor to structure:	N/A	N/A
Neutral conductor to structure:	N/A	N/A
Communication conductor to structure:	N/A	N/A
B. AT LOWEST POINT OF SPAN		
Phase conductor to ground elevation:	House phase 26' - 0" Center phase 26' - 3" Field phase 26' - 8 1/2"	20' - 0" 20' - 0" 20' - 0"
Neutral conductor to ground elevation:	19' - 8 1/2"	18' - 0"
Communication conductor to ground elevation:	N/A	N/A
C. SPAN LENGTH <u>300'</u>		
Date the line or facilities were constructed <u>1963</u>		
Voltage of line or facilities <u>7200 Volt - 3 phase</u>		
Date last inspected by utility <u>1/21/93</u>		
Utility <u>Kentucky Utilities Company (Western Division)</u>		
Date <u>9/14/93</u> Time <u>8:30 A.M. CST</u>		

ELECTRICAL UTILITY ACCIDENT INVESTIGATION (Continued)

Approximate temperature 75° F

Measurements made by Mike Robards, Stephen Hendrix, Brian Dickey
- Kentucky Utilities Company - Robert Ueltschi, PSC

Submitted by: 

KENTUCKY UTILITIES COMPANY
ONE QUALITY STREET
LEXINGTON, KY 40507
PHONE: (606) 255-2100

September 17, 1993
4

RECEIVED

SEP 20 1993

DIVISION OF UTILITY
ENGINEERING & SERVICES

Mr. Bob Ueltschi
Public Service Commission
730 Schenkel Lane
P.O. Box 615
Frankfort, KY 40802


Dear Bob:

SUBJECT: REPORT OF ACCIDENT-EMPLOYEE JAMES DAVID STRATTON
DATE OF ACCIDENT: 09/13/83

Enclosed is a copy of a Report of Accident-Employee for the captioned. Mr. Stratton was raising handle of "D" Die Machine and contacted 7.2 KV line resulting in burns.

If you need additional information please advise.

Sincerely,


James A. Brackney, P.E.
Manager, Risk Management

JAB/ss
Enclosure
cc: R. M. Hewett
W. N. English

E

REPORT OF ACCIDENT - EMPLOYEE

KU 24-11 REV 10-90

Kentucky Utilities Company

118 Court Street

Greenville, KY. 42345

Date of This Report Sept. 14, 1993

Accident Number _____

Location at Which

Injured Employee

Is Employee Employed

Greenville District Crew

RISK MANAGEMENT DEPT.

WHO WAS
INJURED?

Name James David Stratton Sex M Age 36 Wage _____ Per _____ (Hour/Week/Day)
Address P. O. Box 542 Greenville KY. 42345
Street City State Zip
Area Code and Telephone Number (502) 338-6407 Married Yes
Employee Birthday 3/16/57 No. of children under 18 years 2 No. of Dependents 3
List names, birthdates, relationship _____
Occupation Line Tech A (BU) Years employed by company 2yr 10 Mo. On present job 8 Mo.
Social Security No. 402-86-1995 Department District Crew

TIME AND
PLACE OF
INJURY

Date 9/13/93 Hour 4:30 XX P. M. Did accident occur on employer's premises ☐ Yes ☒ No
Place of accident Hwy 81 South Carrollton, KY.
Street City State

WITNESSES
TO THE
INJURY

Name	Address
1. <u>William Mackey Bailey</u>	<u>Livermore, KY.</u>
2. <u>Steve Hendrix</u>	<u>Rt 2, Greenville, KY.</u>

NATURE AND
EXTENT OF
INJURY
(Include All
Injuries)

Parts of Body injured and nature of injuries Right index finger extending to thumb and left thigh
Probable Length of Disability _____ Date of first treatment by Doctor 9/13/93
Emergency room or Attending Physician Edward Shuttleworth Address Greenville, KY.
Date Hospitalized 9/13/93 Name and Address of hospital Muhlenberg Community Hospital Greenville, Ky. 42345

ACCIDENT

Identify object, substance or machine which directly injured employee 7.2 KV conductor
What was employee doing when injured? (Be specific) raising handle of "D" Die Machine
How did accident or exposure occur? (Tell what happened and how it happened) Employee contacted 7.2 KV
Describe events which resulted in injury Employee was squeezing up #4 Copper to #2 ACSR

Employee's Signature _____ Date _____
Supervisor's Signature _____ Date _____
Report Approved By Quinn L. Zinke Date 9-14-93
(Dist. Mgr. or Dept. Head)

KU INSPECTION REPORT

OFFICE Central City

RECEIVED

SEP 29 1993

DIVISION OF STREET
ENGINEERING & SERVICES

☐ METER AND SERVICE DROP INSPECTION
ROUTE No. _____

☒ DISTRIBUTION AND SECONDARIES INSPECTION
ZONE (LINE LOCATION) 27-11 6-2-1

Instructions to inspection personnel: Inspect all distribution facilities in the designed area or route, complete report and present it to local manager, copy to district manager.

Inspection Check List:

Conductors	<u>✓</u>	Crossarms	<u>✓</u>	Lightning arresters,	
Insulators	<u>✓</u>	Guys and anchors	<u>✓</u>	cutouts & grounds	<u>✓</u>
Poles/structures	<u>✓</u>	Transformers	<u>✓</u>	Service drops	_____
				Meters	_____

Maintenance required or other remarks (attach additional sheets as required).
Show location by line, route or address

AGAIN 31169-210 ARRESTER BLOWN

Visual inspection performed in whole or in part in connection with regular duties.

Date Completed 1-21-93

Edgar Cunningham
inspection Personnel

Instructions to maintenance personnel: When work is finished, complete report and present it to local manager, copy to district manager.

Repairs or other maintenance performed (attach additional sheets as required)

Date Completed 2-12-93

Eddie Bryant
Maintenance Personnel

KENTUCKY UTILITIES COMPANY

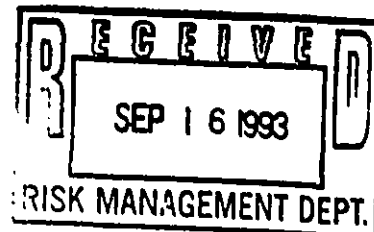
FOR COMPANY BUSINESS ONLY

Subject PSC Request

Date September 15, 1993

From Gerald Locke

To Brian Dickey



Enclosed is a copy of a facility map showing the location of the accident at South Carrollton involving David Stratton on 9/13/93. The 1 Ø tap line was constructed in 1963 with no known upgrading necessary.

A distribution inspection was completed on 1/21/93 for this zone on 77-11. Maintenance was not indicated to be needed at the site.

The arrester identified on the inspection was at the location for account 311169-010, work completed 2/19/93.

GL:waj
attachment

cc: K. Curtis
K. Sheridan

POL I
P.M I

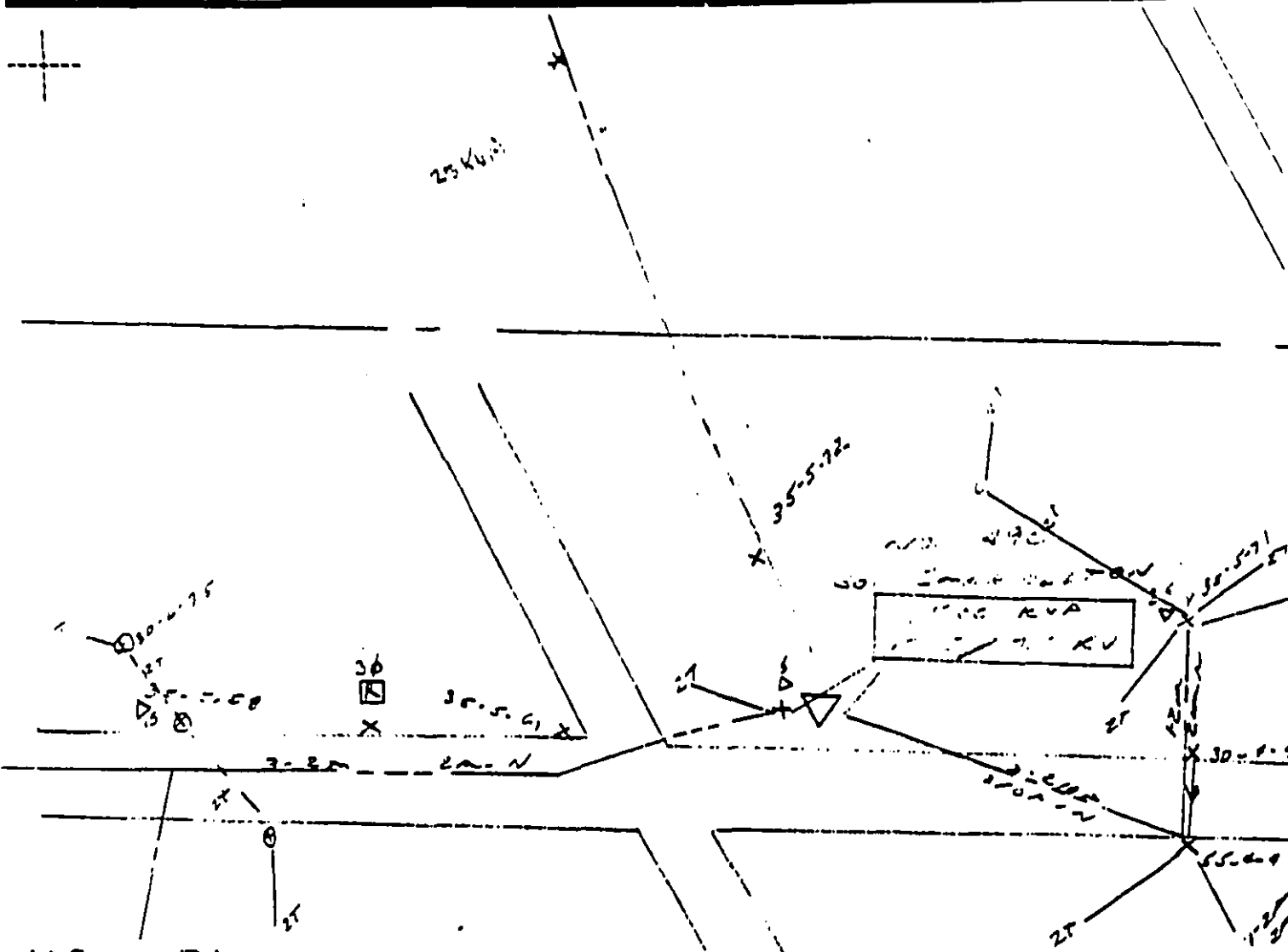
Capt. Bullard

Reason Needed Legitimizing and T&E

Description of Work

Other Utility Contact Req. 1

Easement Sec. & Recorded () by _____ date _____ Eas. Not Req. ()

**Job Comments/Delays**

Submitted by _____

Approved by _____

Requested Completion Date _____

Est. M. Hours _____ Actual Hours _____
(exclude travel) (on job now)

Contractor/Crew Used _____

Work Complete & Print As Built _____

Abstract